

Proposal for an “injury data collection” amendment to Commission’s GPDR-proposal

As also stressed in the GPSD Implementation Report, data collection on the implementation of the GPSD is insufficient and uneven across Member States, as the Directive only contains a general monitoring obligation. Therefore, GPSD-revision should constitute an occasion to introduce more specific provisions, including the introduction of indicators, which will allow the proper monitoring of the Directive’s impact on the safety of consumer products.

Data on injuries are scarce across the EU, making it hard to assess the effect of the Directive on the protection of consumers’ health and safety, in particular with respect to vulnerable categories of consumers such as children, older persons and persons with disabilities. The feasibility of implementing an product-related injury surveillance system within Member States has been amply demonstrated, as well as its cost-efficiency.

This is why EuroSafe calls for the establishment of a true Pan-European Injury Database. The revision of the GPSD and transposition into a GPSR should give an opportunity to require MSAs to share data on injuries involving consumer products, based on a common methodology, with the aim of achieving a high quality, representative and up-to-date database for the entire Single Market.

The Single Market Programme, which aims to improve the production of high quality statistics for “enhancing enforcement effectiveness” and “increasing consumer protection and empowerment”, could provide a sound financial base for the pan-European surveillance of product-related injuries.

Annex - Background note on the latest evidence of feasibility of creating a pan-European database on product related injuries (SEPT 2021).

EU-IDB database contains basic data on millions of cases reported by up to 26 European countries from 2008 onwards. From up to 19 countries more comprehensive information is available about the circumstances and causes of around 3.5 million injury cases, including details on products that are involved and narratives on the injury event.

The data are being collected in accordance with a harmonised methodology and quality assurance programme. EU-IDB is being operated by a network of national EU-IDB data administrators, i.e. national agencies designated by their governments as centres of expertise in injury surveillance. The European Association for Injury Prevention (EuroSafe) coordinates the network, assisted by an Advisory Board designated by the EU-IDB data administrators. The database itself is hosted by the Italian National Institute of Health (ISS).

In spite of this massive achievement and repeated calls by business associations, consumer representative bodies, standardisers and product safety expert organisations urging European institutions and Member States to create a legal base for a pan- surveillance system for product related injuries ([Joint Call, 2013/ ANEC Position Paper, 2020](#)), a final decision on a proper legal and financial base for such a EU-wide system is being postponed time and again. The revision should constitute an occasion to introduce more specific provisions, including the introduction of indicators, which will allow the proper monitoring of the Directive's impact on the safety of consumer products.

This note summarises the latest evidence as to the feasibility of implementing an product-related injury surveillance system within Member States, as well as its cost-efficiency. In addition to the evidence created by reports published on the [EuroSafe website](#), **three studies** that have been carried out by third parties, i.e. the European Commission (JRC) and subcontractors (Civic Consulting and EY Consultancy) are to be highlighted:

1. In 2014 the European Commission requested the Joint Research Centre (JRC) to compile an inventory of relevant data sources for consumer product safety policy and opportunities for enhancing the availability of those data. The study was complete in 2018 and the results have been published in the [Injury Prevention Journal](#) in 2020, presenting the following conclusions:

- the EU IDB-system is the only existing data source which contains sufficient information on injury mechanism and involved external factors as products, which covers all types of injury and all settings. Therefore, of all existing sources EU-IDB can be best used as core dataset for an European information system on product safety risk assessment and monitoring purposes;

-an important weakness of the current system is that is based on voluntary agreement between participating national IDB-partners and that it lacks a legal EU-mandate. Due to the lack of sustainable funding at EU-level, the full exploitation of the capacity of the IDB network to serve consumer product safety purposes is seriously hampered;

-it is therefore recommended to carry out a cost-benefit analyses of the necessary optimization effort needed to increase the IDB-capacity to support consumer safety work.

-finally, it was suggested to create a European Consumer Product Safety Platform, which should give publicly access to all relevant information sources: RAPEX, EU-IDB (FDS), Media reports, Consumer complaints and eventual other sources.

Therefore, it should be concluded that injury data as collected by EU-IDB is most valuable for product safety purposes and provides a common base for risk assessment across the EU.

2. In 2020, EuroSafe has assisted Civic Consulting in assessing the size of the problem of unsafe consumer products on the EU market, as part of the study for the [Implementation Report of the GPSD](#). The Civic-assessment of impact in terms of size of the problem and the resulting societal costs is largely based on data provided by the EU-IDB data provided by EuroSafe.

The joint EuroSafe/Civic impact-assessment (as reported by Civic Consulting in an internal interim report, May 2020) indicates that:

- an estimated 11 million product-related injuries, in which consumers visited a hospital emergency department due to the injury, occur in the EU each year;
- the total societal costs of product-related injuries are estimated to be EUR 76.6 billion per year. This is the sum of f.i. medical treatment caused by non-fatal product-related injuries, and the cost of premature death due to fatalities caused by products;
- a number of studies were identified in EU, USA and AUS that demonstrate that in around 15% of all consumer products related accidents the injury could have been prevented by improved user instructions and/or better design of the product, and that in half of these cases the injury was due to product malfunction. This indicates a potential saving of societal costs amounting at least EUR 11.5 billion per year;
- *Product groups that are related to the highest number of injuries do not show much correlation with the notifications in RAPEX. This does not in any way limit the value of RAPEX, but show that RAPEX data cannot be simply used as proxy for product safety trends or for identifying measures to improve consumer safety.*

Therefore, it should be concluded that injury data as collected by EU-IDB provides a statistically sound base for monitoring the effectiveness of product safety policies and programmes in the EU, in addition to other indicators such as RAPEX.

3. In 2020, EY Consultancy carried out a study on injury and accident data collection in the framework of the larger Coordinated Activities on the Safety of Products Project, financed by EC/DG Justice. The study aimed to assess the feasibility of establishing a European injury database focusing on consumer product injuries for use by Market Surveillance Authorities (MSAs). The results have been published on the [Safety-Gate webpages of DG Justice](#), presenting the following conclusions:

EY Consultancy shared with EuroSafe the following conclusions in an interim report on information exchanged:

- *One of the most effective ways of identifying dangerous products in the market is with the support of injury and accident data. There are other ways, such as random product sampling*

and responding to consumer complaints, but a well-established injury database is core to effective problem detection and trend identification;

- Based on a study in five EU-countries, the average cost of collecting data in the EU (EUR 13 per case) is 5% of the average cost of an injury (EUR 239 per capita). This demonstrates that the cost of collecting data on injuries is significantly lower than the cost incurred every year by injuries (direct medical costs) in EU-countries;

- The coordination and processing of national data on product injuries costs at EU-level is estimated at EUR 1 million per year. This figure is based on the assumption that national governments (national data providers) collect and submit their data at their own expense, as many currently do already;

The report highlights that data collection on injuries and accidents caused by unsafe products is currently collected in a fragmented and inconsistent manner across EU MS. As the General Product Safety Regulation (GPSR) is relevant throughout the EU, a way to mitigate these challenges would be if the EC developed a regulation on the mandatory collection of injury data for statistical purposes aimed at safeguarding and improving the safety of EU citizens.

Making this type of data available and easy to compare will help Market Surveillance Authorities (MSA's) to develop more accurate risk assessments and, most importantly, prevent injuries and save the lives of European citizens.

Conclusion

In conclusion, a pan-European system for injury data retrieval, analysis and reporting at a European level could have unprecedented positive effects for consumer safety. Most importantly, accurate information on injuries could be instrumental in the timely detection of new product trends, enhance the prioritisation procedures used for MSAs' activities, help to develop targeted injury prevention actions and save lives

Key factor for success of any pan-European initiative in injury data exchange is the existence of a legal base. As the GPSD does not identify injury data as key component of consumer safety intelligence, the revision of the GPSD and transposition into a GPSR gives an opportunity to amend that and to require MSAs to share data on injuries involving consumer products, based on a common methodology, with the aim of achieving a high quality, representative and up-to-date database for the entire Single Market.

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